

Message Text

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ACTION EA-14

INFO OCT-01 ISO-00 VO-03 SCA-01 OC-06 CCO-00 SS-20 NSC-07

INR-10 A-01 DODE-00 CIAE-00 FBIE-00 NSCE-00 DRC-01

RSC-01 CPR-02 PPT-02 /069 W

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R 220310Z MAY 74

FM USLO PEKING

TO SECSTATE WASHDC 1833

INFO AMCONSUL HONG KONG

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E. O. 11652: N/A

TAGS: CVIS

SUBJECT: DIPLOMATIC COURIER VISAS AND OTHER MATTERS

REF: STATE 096125

BEGIN SUMMARY. IN RESPONSE TO USLO'S REQUEST FOR AN APPOINTMENT TO INFORM MFA CONSULAR DEPARTMENT THAT US AGREED TO PRC REQUEST TO DESIGNATE CERTAIN US EMBASSIES TO ISSUE VISAS TO PRC DIPLOMATIC COURIERS, MFA CONSULAR OFFICIALS RECEIVED USLO OFFICERS ON MAY 20. USLO INFORMED MFA OF US AGREEMENT AND IN RESPONSE THE CHINESE STATED "IN SPECIAL CIRCUMSTANCES" CHINA TRAVEL SERVICE (CTS) WOULD FACILITATE VISA ISSUANCE FOR DIPLOMATIC COURIERS IN HONG KONG AFTER A REQUEST HAD BEEN MADE TO THE CONSULAR DEPARTMENT IN PEKING. TRAVEL PERMITS, TRANSIT VISAS, AND VISA FEES WERE ALSO DISCUSSED. DEPARTMENT ACTION REQUESTED. END SUMMARY.

1. ON MAY 14 USLO REQUESTED APPOINTMENT WITH LIN YUNG-PING TO INFORM CONSULAR DEPARTMENT THAT US AGREED TO THE PRC REQUEST THAT US EMBASSIES IN TOKYO, LONDON, PARIS AND MEXICO CITY, AS WELL AS THE DEPARTMENT AND USLO, ARE AUTHORIZED TO ISSUE VISAS TO PRC DIPLOMATIC COURIERS.

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2. COMMENT: ALTHOUGH WE COULD HAVE PASSED THIS MESSAGE VIA OUR INTERPRETER, WE PREFERRED TO SEEK AN APPOINTMENT TO PERMIT FURTHER DISCUSSIONS WITH CONSULAR OFFICIALS. END COMMENT.

3. THE APPOINTMENT REQUEST WAS GRANTED ON MAY 20. AT THE COMPLETION OF OUR STATEMENT WE NOTED THAT WE BELIEVED THE TWO SIDES HAD REACHED AGREEMENT CONCERNING DIPLOMATIC COURIER VISA MATTERS.

4. WE THEN ASKED IF WE COULD RAISE ANOTHER POINT WHICH HAD COME UP SINCE OUR REQUEST FOR THE APPOINTMENT. LIN AGREED. WE NOTED THAT WE HAD HAD TO SEEK AN EXPLANATION OF WHAT THE CHINESE INTENDED IN THEIR REQUEST FOR A "TRANSIT VISA" FOR HSIA KENG-YIN (PEKING 829).

5. WE SAID THAT UNDER OUR REGULATIONS A "TRANSIT VISA" IS ISSUED IF THE APPLICANT INTENDS TO PASS IN "IMMEDIATE AND CONTINUOUS" TRANSIT THROUGH THE US AND PROVIDED THE 9 FAM DEFINITION OF THE TERM "IMMEDIATE". WE SAID THAT WE WERE BRINGING THE MATTER UP SO THAT THE CONSULAR DEPARTMENT WOULD UNDERSTAND THE TYPE OF INFORMATION WE NEEDED TO PERMIT US TO PROCESS THEIR VISA APPLICATIONS AS EXPEDITIOUSLY AS POSSIBLE.

6. WE THEN REFERRED TO OUR APRIL 27 MEETING WITH CHANG JUI (PEKING 717) AND ASKED IF LIN HAD HAD THE OPPORTUNITY TO CONSIDER OUR REQUEST FOR INFORMATION ON TRAVEL PERMITS.

7. LIN MADE AN UNUSUAL VARIATION BY RESPONDING TO THIS POINT IMMEDIATELY RATHER THAN WAITING UNTIL HE ASCERTAINED THAT WE HAD COMPLETED OUR PRESENTATION. HE SAID THAT WE HAD ONLY DISCUSSED MATTERS ON THE ISSUANCE OF VISAS AND DIPLOMATIC COURIERS AT THAT MEETING. WE REPLIED THAT WE HAD RAISED THE QUESTION OF TRAVEL PERMITS AND THAT WE UNDERSTOOD THAT THESE WERE LIN'S RESPONSIBILITY AND THAT THESE QUESTIONS WOULD BE PASSED TO HIM. LIN ASKED WHAT KIND OF TRAVEL PERMITS WERE WE SPEAKING ABOUT, "THE ONES WITH THE GREY COVER ISSUED TO FOREIGNERS?"

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8. USLO EXPLAINED THAT WE WERE REFERRING TO THE TRAVEL PERMITS KNOWN AS "TUNG HSING CHENG" AND WE REPEATED OUR QUESTIONS (PEKING 717, PARA 3B).

9. LIN'S RESPONSE DID NOT CLARIFY THE SITUATION. HE FIRST SAID AS FAR AS HE KNEW THE TRAVEL PERMITS WERE VALID FOR TRANSIT TO COUNTRIES OTHER THAN HONG KONG AND PERMITTED RE-ENTRY INTO CHINA SO LONG AS THEY WERE VALID.

HE ADDED, HOWEVER, THAT WHEN INDIVIDUALS EXITED CHINA WITH SUCH A TRAVEL PERMIT, GENERALLY SPEAKING THE PERMIT SHOULD HAVE A VISA STAMPED IN IT TO PERMIT RE-ENTRY INTO CHINA.

10. HE THEN SAID THAT HE COULD NOT SPEAK ON THE MATTER DEFINITELY BECAUSE "THIS KIND OF TRAVEL PERMIT IS NOT ISSUED BY OUR FOREIGN MINISTRY."

11. HE SAID THAT HE WOULD MAKE INQUIRIES TO SEE IF THE SITUATION WAS DIFFERENT FROM HIS EXPLANATION.

12. USLO ASKED WHAT OTHER CHINESE AUTHORITIES ISSUED THE TRAVEL PERMITS?

13. LIN REPLIED, "PUBLIC SECURITY BUREAU." WE MADE ANOTHER BRIEF EXPLANATION OF WHY WE NEED TO KNOW WHETHER THIS TRAVEL PERMIT PERMITTED RE-ENTRY TO CHINA OR TO ANOTHER COUNTRY AND REPEATED THE DEFINITION OF WHAT A "PASSPORT" IS ACCORDING TO OUR VISA REGULATIONS.

14. COMMENT: IT IS OUR BELIEF THAT TRAVEL PERMITS WITHOUT A SPECIFIC RE-ENTRY VISA ARE ISSUED TO INDIVIDUALS WHOM THE PUBLIC SECURITY BUREAU DOES NOT WISH TO RETURN TO CHINA. IT IS OUR RECOMMENDATION THAT SUCH DOCUMENTS NOT BE CONSIDERED AS MEETING THE DEFINITION OF A "PASSPORT". END COMMENT.

15. LIN THEN RETURNED TO THE DIPLOMATIC COURIER MATTER AND ASKED IF IT WERE AGREED THAT, "WE SILL PROCEED AS AGREED?" USLO REPLIED, "YES".

16. LIN THEN TOOK A PREPARED STATEMENT FROM HIS POCKET LIMITED OFFICIAL USE

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AND READ: "THE LIAISON OFFICE HAD ASKED WHETHER IN UNUSUAL AND SPECIAL CASES THE FACILITATIVE SERVICES OF THE CHINA TRAVEL SERVICE COULD BE USED TO OBTAIN VISAS FOR DIPLOMATIC COURIERS IN HONG KONG. AS WE EXPLAINED IN OUR LAST CONVERSATION, THE US SIDE SHOULD BE AWARE THAT THERE ARE NO CHINESE VISA ISSUING AUTHORITIES IN HONG KONG. IT IS THEREFORE DIFFICULT TO DESIGNATE HONG KONG AS A PLACE FOR US DIPLOMATIC COURIERS TO OBTAIN CHINESE VISAS. IN ACCORDANCE WITH THE MANNER IN WHICH WE HANDLE SUCH VISA MATTERS WITH PERSONNEL OF OTHER COUNTRIES, AND ACCORDING TO OUR PRACTICE, IF THE NEED SHOULD ARISE FOR US DIPLOMATIC COURIERS IN SPECIAL AND UNUSUAL CIRCUMSTANCES TO OBTAIN THEIR VISAS THROUGH THE CHINA TRAVEL SERVICE, THE LIAISON OFFICE MAY SEND AN OFFICIAL NOTE TO THE CONSULAR DEPARTMENT WHICH WILL CONSIDER IT ON ITS MERIT."

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ACTION EA-14

INFO OCT-01 ISO-00 VO-03 SCA-01 OC-06 CCO-00 SS-20 NSC-07

NSCE-00 INR-10 A-01 DODE-00 CIAE-00 FBIE-00 CPR-02

PPT-02 DRC-01 RSC-01 /069 W

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FM USLO PEKING

TO SECSTATE WASHDC 1834

INFO AMCONSUL HONG KONG

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17. LIN THEN REFERRED TO REGIONAL TECHNICIANS VEA AND DEAN AND SAID THAT AUTHORIZATION FOR THEIR VISAS HAD BEEN GRANTED AND ASKED IF THEY HAD OBTAINED THEM YET.

18. USLO REPLIED THAT WE UNDERSTOOD THE VISAS HAD BEEN AUTHORIZED AND THE TWO MEN, ONE OF WHOM HAD BEEN TRAVELLING IN THAILAND, WOULD BE COMING TO THE LIAISON OFFICE LATER THIS MONTH.

19. LIN THEN RETURNED TO THE QUESTION OF A "TRANSIT VISA" FOR MR. HSIA. HE SAID THAT MR. HSIA WAS GOING TO CANADA TO PREPARE FOR THE VISIT OF THE EXHIBITION AND THAT IT WOULD NOT BE CONVENIENT FOR HIM TO TRAVEL THERE ALONE. THEREFORE, HE WOULD BE GOING TO WASHINGTON TO MEET TWO COMPANIONS WHO WOULD THEN ACCOMPANY HIM TO CANADA.

20. THERE FOLLOWED A LENGTHY INTERCHANGE IN WHICH IT WAS QUITE CLEAR THAT THE CHINESE IDEA OF "TRANSIT" IS NOT AS DEFINED IN OUR US VISA REGULATIONS. WE CITED VARIOUS EXAMPLES AND TRIED TO EXPLAIN WHY A SIDE TRIP FOR SEVERAL DAYS TO WASHINGTON WOULD NOT MEET OUR DEFINITION OF A "TRANSIT VISA."

21. WE ALSO TRIED TO EXPLAIN THAT PROCESSING A VISITORS
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VISA WAS NO MORE DIFFICULT THAN PROCESSING A TRANSIT VISA,
BUT THAT APPLICATIONS WOULD BE EXPEDITED IF WE KNEW MORE
PRECISELY THE PURPOSE OF THE TRIP.

22. DESPITE OUR EFFORTS LIN PROBABLY STILL CONSIDERS THAT
MR. HSIA IS "IN TRANSIT" TO CANADA.

23. LIN THEN TURNED TO THE QUESTION OF VISA FEES. HE
ASKED WHETHER THE FEES APPLIED TO ALL VISA APPLICANTS AND
ASKED HOW THEY WERE DETERMINED.

24. USLO REPLIED THAT THE FEES PRESCRIBED FOR THE VISAS
ISSUED TO PRC APPLICANTS HAD BEEN DETERMINED AFTER DISCUSSIONS
BETWEEN PRCLC AND THE DEPARTMENT OF STATE OFFICIALS.
WE EXPLAINED THAT VISAS ARE ISSUED ON THE BASIS OF THE
PRINCIPAL PURPOSE OF AN ALIEN'S TRAVEL TO THE US, REFERRING
TO OUR PREVIOUS DISCUSSIONS CONCERNING THE TYPES OF VISAS
WHICH WE ISSUE; AND THAT THE VISA FEE IS DETERMINED ON THE
BASIS OF RECIPROCITY.

25. LIN THEN RETURNED TO THE "TRANSIT" VISA PROBLEM AND
ASKED WHAT THE COST OF A "TRANSIT VISA" WOULD BE FOR AN
OFFICIAL DELEGATION WHICH TRAVELLED VIA THE US TO CANADA.

26. USLO SAID THAT IT COULD NOT RECALL WHAT A FEE WOULD
BE FOR A "C" VISA AND WE REPLIED THE SAME GROUND JUST
WORKED OF WHAT DETERMINED WHETHER AN APPLICANT WOULD
RECEIVE A TRANSIT VISA OR NOT.

27. LIN NEXT ASKED WHAT WOULD THE US DO IF FEES WERE
CHARGED ACCORDING TO THE CATEGORY OF PASSPORT? USLO
REPLIED THAT WE WERE UNABLE TO ANSWER THAT QUESTION AND
REPEATED THAT OUR VISAS WERE ISSUED BASED ON THE PRINCIPAL
PURPOSE OF THE VISIT AND THAT THE FEES WERE BASED ON
RECIPROCITY. WE SAID THAT THE QUESTION WOULD BE REFERRED
TO OUR AUTHORITIES.

28. LIN STATED THAT HE WAS MERELY MAKING AN INQUIRY,
IMPLYING THAT THE CHINESE ARE NOT YET PREPARED TO RAISE
THE MATTER OFFICIALLY.

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29. THE MEETING CLOSED WITH MUTUAL EXPRESSIONS OF APPRECIATION FOR THE USEFULNESS OF THESE DISCUSSIONS. LIN SAID THAT IN THE FUTURE HE WOULD LIKE TO HEAR AN EXPLANATION OF THE DIFFERENT CATEGORIES OF US VISAS AND HOW THEY ARE ISSUED. USLO REPLIED THAT WE WOULD PREPARE SUCH A PRESENTATION FOR HIM.

30. COMMENT: THE MEETING LASTED TWO HOURS, OUR LENGTHIEST SESSION WITH CONSULAR OFFICIALS TO DATE. IT WAS LESS STRUCTURED THAN THOSE IN THE PAST BECAUSE MATTERS OTHER THAN THOSE FOR WHICH THE MEETING WAS REQUESTED WERE DISCUSSED. WE INTEND TO TRY TO USE THIS DEVICE IN THE FUTURE TO KEEP THESE CONVERSATIONS GOING. WE WERE PLEASED THAT LIN BROUGHT UP A SPECIFIC TOPIC FOR FUTURE DISCUSSION.

31. WE WOULD APPRECIATE THE DEPARTMENT'S COMMENTS AND GUIDANCE AS TO HOW WE COULD PREPARE TALKING POINTS FOR OUR PRESENTATION TO LIN CONCERNING THE DIFFERENT CATEGORIES OF VISAS AND HOW THEY ARE ISSUED.

32. WE WOULD ALSO APPRECIATE SOME CONTINGENCY GUIDANCE TO REPLY TO THE QUESTION IN PARA 27 SHOULD IT BE BROUGHT UP AGAIN. WE SUSPECT IT WILL. END COMMENT.
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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: AGREEMENTS, DIPLOMATIC DISCUSSIONS, CONSULAR SERVICES, VISAS, DIPLOMATIC CORPS, COURIERS, TRANSIT ALIEN VISAS, TRAVEL CONTROLS
Control Number: n/a
Copy: SINGLE
Draft Date: 22 MAY 1974
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: blochd0
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1974PEKING00852
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D740127-0014
From: PEKING
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1974/newtext/t19740527/aaaaaxfb.tel
Line Count: 302
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION EA
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 6
Previous Channel Indicators:
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: STATE 096125
Review Action: RELEASED, APPROVED
Review Authority: blochd0
Review Comment: n/a
Review Content Flags:
Review Date: 16 JUN 2005
Review Event:
Review Exemptions: n/a
Review History: RELEASED <24 APR 2002 by kelleyw0>; APPROVED <28 FEB 2003 by GarlanWA>; WITHDRAWN <13 Jun 2005 by BoyleJA, PRIVACY>; RELEASED <16 JUN 2005 by powellba2>; APPROVED <20 JUN 2005 by blochd0>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: DIPLOMATIC COURIER VISAS AND OTHER MATTERS
TAGS: CVIS, PFOR, CH, US
To: STATE
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005